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February 23, 2015

Clerk of the Court  
United States Court of Appeals for the  
Second Circuit  
40 Foley Square  
New York, New York 10007

**Re: Tanasi v. New Alliance Bank**  
**14-1389cv**

Dear Clerk:

On behalf of Appellee Patrick Tanasi I am submitting this letter pursuant to Rule 28(j) to advise the Court of a recent decision from the Eleventh Circuit Court of Appeals that addresses the points raised throughout Appellee's brief. The decision is *Stein v. Buccaneers Limited Partnership*, 772 F.3d 698 (2014). In particular, this decision addresses the points raised by Appellee at pages 18 - 19 of his brief and provides further support for the proposition that an unaccepted Rule 68 offer does not moot the claims of a plaintiff in a proposed class action. In the *Stein* decision the Eleventh Circuit noted that it was joining "the majority of circuits that have addressed the issue." 772 F.3d at 700.

I am attaching a copy of the *Stein* decision and I am copying counsel for all parties.

Sincerely,



Stephen J. Fearon, Jr.

SJF/cs  
encl.

cc: All Appellants' counsel – By Email  
Adina Rosenbaum, Esq. – By Email